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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/057,629	01/25/2002	Harry R. Davis	CV01382K	2175
24265	7590	10/21/2003	EXAMINER	
SCHERING-PLough CORPORATION PATENT DEPARTMENT (K-6-1, 1990) 2000 GALLOPING HILL ROAD KENILWORTH, NJ 07033-0530			BAHAR, MOJDEH	
		ART UNIT	PAPER NUMBER	
		1617	/ /	
DATE MAILED: 10/21/2003				

Please find below and/or attached an Office communication concerning this application or proceeding.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
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10/057,629

EXAMINER

ART UNIT PAPER

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Commissioner for Patents

The reply filed on August 4, 2003 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Note that applicant's representative states that claims 1, 8-9 and 13-58 read on the elected specie, Ezetimibe. This statement is incorrect. For example, claims 10-11 read on the elected specie.. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mojdeh Bahar whose telephone number is (703) 305-1007. The examiner can normally be reached on (703) 305-1007 from Monday to Friday from 9:00 a.m. to 5:00 p.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sreeni Padmanabhan., can be reached on (703) 305-1877. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-4556.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1235.

Mojdeh Bahar
Patent Examiner
October 19, 2003


SREENI PADMANABHAN
EXAMINER

10/25/03